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2020 JUN -1 PM 4:14

Dear Clerk,

I'd like to bring into question the constitutionality of the [Judicial act of (1789)] primarily section 33.

- This section explains that for any crime of offence against the United States, The offender may be arrested, & imprisoned or bailed as the case may be for trial before such court of the United States as has cognizance of the offense;
- yet the [13th Amendment] states under section (1) neither slavery nor involuntary servitude, except as a punishment for crime where of the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.
- Now if we examine the Two (2) we can clearly see the [13th Amendment] gave strict limitations of who & how an offender should be locked away or imprisoned as it states "shall have been duly convicted", this being posttense.
- while if we examine the [Judicial act of (1789)] primarily ~~section~~ 33, it gave authority to all justices & officers to lock up or imprison as needed. This being at the Federal Government's expense,
To dismiss this section is to also free the Federal Government of any expense & place the expense on every state or individual(s).
- Refer too [Marbury V. Madison, 5 U.S. 137 (1803)] when chief justice John Marshall - declared that any conflict between the constitution & a law passed by Congress, The constitution must always take precedence.
- Thus bringing me to question the constitutionality of section 33 of the [Judicial act of (1789)] on the grounds that one must be found guilty before imprisoned or forced involuntarily into servitude as described in the [13th Amendment].

Mason Barrett